

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMARTE USA HOLDINGS, INC.,

Plaintiff,

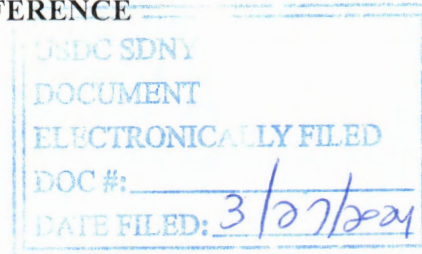
v.

L'OREAL USA S/D, INC.; L'OREAL USA,
INC.; ULTA BEAUTY, INC.; and SEPHORA
USA, INC.,

Defendants.

Case No.: 1:24-cv-01276-CM

JOINT LETTER MOTION TO
ADJOURN INITIAL PRETRIAL
CONFERENCE



Dear Judge McMahon:

The undersigned counsel represent the parties in the above-referenced case. Pursuant to Rule I(D) of Your Honor's Individual Practices and Procedures, we write jointly to request an adjournment of the initial pretrial conference in this case. The parties are currently scheduled to appear for an initial pretrial conference on April 18, 2024, and are required to submit a proposed Civil Case Management Plan to the Court by April 5, 2024. (See ECF No. 25.)

The parties are engaged in settlement discussions and believe that they have reached a settlement agreement in principle that would resolve this matter in its entirety. In this regard, Plaintiff is preparing a draft formal settlement agreement for review by Defendants. Because settlement would result in the dismissal of the action—thereby rendering moot the need for an initial pretrial conference and discovery in this case—the parties believe that it would be most productive for them, and would ease the burden on the Court, to allow the parties to continue to focus their efforts on settlement.

Accordingly, the parties jointly request that the Court adjourn the initial pretrial conference to a date that is convenient for the Court during the week of either **June 3 or June 10**, and that the parties be permitted to submit their proposed case management plan fourteen (14) days in advance of the new initial pretrial conference date assuming that the case is not fully settled before then.

No previous requests for adjournment of the initial pretrial conference have been made. No scheduling order has yet been entered in this case and, thus, the requested adjournment will not affect any other scheduled dates.

We thank the Court for its time and consideration of this matter.

Respectfully submitted,

Dated: New York, New York
March 26, 2024

LIPPES MATHIAS LLP

**FROSS ZELNICK LEHRMAN & ZISSU,
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